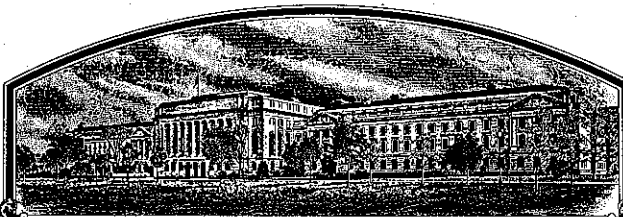


No.

9400137



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Northrup King Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'S09-95'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirty-first day of October in the year of our Lord one thousand nine hundred and ninety-five.

Attest:

Martha A. Stanton

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

W. L. Rouse
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) Northrup King Co.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO. X9309, W802892	3. VARIETY NAME S09-95
4. ADDRESS (street and no. or R.F.D. no., city, state, and ZIP) P. O. Box 949 Washington, Iowa 52353-0949 Attention: Dr. John C. Thorne		5. PHONE (include area code) 319-653-2181	FOR OFFICIAL USE ONLY PVPO NUMBER 9400137 F I L I N G Date March 31, 1994 Time <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. F E E S Filing and Examination Fee: \$ 2,325.00 Date March 31, 1994 R E C E I V E D Certificate Fee: \$ 300.00 Date Aug. 4, 1995
6. GENUS AND SPECIES NAME Glycine max	7. FAMILY NAME (Botanical) Leguminosae	8. DATE OF DETERMINATION November, 1988	
9. CROP KIND NAME (Common Name) Soybean		10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware	12. DATE OF INCORPORATION 1976		
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Dr. John C. Thorne Northrup King Co. P. O. Box 949 Washington, Iowa 52353-0949 PHONE (include area code): 319-653-6645			

4. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow INSTRUCTIONS on reverse)

a. ☒ Exhibit A, Origin and Breeding History of the Variety.
b. ☒ Exhibit B, Novelty Statement.
c. ☒ Exhibit C, Objective Description of Variety.
d. ☐ Exhibit D, Additional Description of Variety.
e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.
f. ☒ Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office _____
g. ☒ Filing and Examination Fee (\$2,150) made payable to "Treasurer of the United States."

5. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See section 83(a) of the Plant Variety Protection Act.)
☐ YES (If "YES," answer items 16 and 17 below) ☒ NO (If "NO," skip to item 18 below)

6. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☒ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

8. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.
☐ YES (If "YES," through ☐ Plant Variety Protection Act ☐ Patent Act. Give date. _____)
☒ NO

9. HAS THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES?
☐ YES (If "YES," give names of countries and dates)
☒ NO

10. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s)) John C. Thorne	CAPACITY OR TITLE Soybean Research Director	DATE 3-14-94
SIGNATURE OF APPLICANT (Owner(s))	CAPACITY OR TITLE	DATE

EXHIBIT A

Origin and Breeding History of the Variety

The soybean variety 'S09-95' is derived from the cross 'S07-80' x 'S23-03'. The cross was made in the winter of 1986 at the Northrup King Research Center at Waimea, Kauai, Hawaii, by the Northrup King Co. soybean research personnel. The F1 generation was grown at the Northrup King Co. Research Center at Washington, Iowa in the summer of 1986. The F2 and F3 generations were grown at Waimea during the winter of 1986-87, and the F4 at Washington in the summer of 1987. The F2 and F3 were advanced by harvesting 2-4 seeds from each plant and planting a 600 seed sample from the bulk. In the fall of 1987 approximately 100 random plants were harvested and threshed individually. The progeny from these plants were grown as F5 plant rows at Washington in the summer of 1988. One of these, numbered W802892, was selected on the basis of agronomic appearance and tested in a preliminary year yield trial in 1989. This line was subsequently tested under the temporary designation X9309 and named S09-95. It has been tested at several northern U.S. and southern Ontario locations from 1990 to 1993 and found to yield well compared to other late Maturity Group 0 cultivars. Descriptive traits including purple flowers, grey pubescence, brown pods, and buff hilum (up to 2% other hilum color), have been identified and confirmed. S09-95 has been tested in the field for iron-deficiency chlorosis at test sites in Northern Iowa and Southern Minnesota in 1990 through 1993 and found to be moderately resistant compared to varieties of known reaction. It has been tested for reaction to Race 1, 3, 4 and 7 of Phytophthora megasperma using hypocotyl inoculation of greenhouse grown plants and found to be susceptible.

In the winter of 1991-92, 2500 carefully hand-rogued seeds of S09-95 were planted at Waimea. This increase block was carefully rogued and any off-type plants were removed. This increase was bulk threshed in May, 1992. The seed was planted near Washington in 1992 to produce the initial Breeder Seed. In addition, 100 plants were harvested and threshed individually and their progeny planted at Washington in the summer of 1992 to monitor variability and to produce Pedigree Seed. A few plants with white flowers or tawny pubescence were removed. These plants were assumed to have come from admixture or out-crossing. The other rows were uniform and were bulked to produce Pedigree Seed. This seed was planted in 1993 to produce a purified source of Breeder Seed. Both the 1992 and 1993 Breeder Seed increase blocks were rogued carefully during flowering and at maturity.

Foundation Seed of S09-95 was produced in 1993 from 1992 Breeder Seed. The Iowa Crop Improvement Association inspected the fields and found them to meet the standards for Foundation Seed. The National Soybean Variety Review Board approved the variety for Certification on December 10, 1993.

S09-95 is a stable and uniform variety. Over five years of testing and three cycles of seed increase, no other variants have been observed. Any off-type plants which were removed from increase fields were assumed to have arisen from admixture or outcrossing.

Varietal purity will be maintained using progeny rows as described above as needed.

EXHIBIT B**Novelty Statement for the Variety**

Soybean variety S09-95 is most similar to B117. It can be differentiated from B117 on the basis of hilum color. Seeds of S09-95 have buff hila (up to 2% other); seeds of B117 have yellow hila (up to 2% other).

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 LIVESTOCK, MEAT, GRAIN & SEED DIVISION
 PLANT VARIETY PROTECTION OFFICE
 BELTSVILLE, MARYLAND 20705

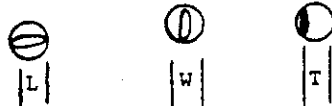
EXHIBIT C
 (Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
 SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) Northrup King Co.	TEMPORARY DESIGNATION X9309, W802892	VARIETY NAME S09-95
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) P. O. Box 949 Washington, Iowa 52353-0949 Attention: John Thorne		FOR OFFICIAL USE ONLY PVPO NUMBER 9400137

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,).

1. SEED SHAPE:



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
 3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
 4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

2. SEED COAT COLOR: (Mature Seed)

1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

5. HILUM COLOR: (Mature Seed)

1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other (Specify) _____
 Up to 2% other hilum color.

6. COTYLEDON COLOR: (Mature Seed)

1 = Yellow 2 = Green

7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 = Low 2 = High

8. SEED PROTEIN ELECTROPHORETIC BAND:

1 = Type A (SP1^a) 2 = Type B (SP1^b)

9. HYPOCOTYL COLOR:

1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
 3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
 4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

10. LEAFLET SHAPE:

1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other (Specify) _____

11. LEAFLET SIZE:

☐ 2

1 = Small ('Amsoy 71'; 'A5312')
3 = Large ('Crawford'; 'Tracy')

2 = Medium ('Corsoy 79'; 'Gasoy 17')

12. LEAF COLOR:

☐ 2

1 = Light Green ('Weber'; 'York')
3 = Dark Green ('Gnome'; 'Tracy')

2 = Medium Green ('Corsoy 79'; 'Braxton')

13. FLOWER COLOR:

☐ 2

1 = White

2 = Purple

3 = White with purple throat

14. POD COLOR:

☐ 2

1 = Tan

2 = Brown

3 = Black

15. PLANT PUBESCENCE COLOR:

☐ 1

1 = Gray

2 = Brown (Tawny)

16. PLANT TYPES:

☐ 2

1 = Slender ('Essex'; 'Amsoy 71')
3 = Bushy ('Gnome'; 'Govan')

2 = Intermediate ('Amcor'; 'Braxton')

17. PLANT HABIT:

☐ 3

1 = Determinate ('Gnome'; 'Braxton')

3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

2 = Semi-Determinate ('Will')

18. MATURITY GROUP:

☐ 3

1 = 000

2 = 00

3 = 0

4 = I

5 = II

6 = III

7 = IV

8 = V

9 = VI

10 = VII

11 = VIII

12 = IX

13 = X

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

☐ 0

Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)

☐ 1

Bacterial Blight (*Pseudomonas glycinea*)

☐ 0

Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

☐ 1

Brown Spot (*Septoria glycines*)

Frogeye Leaf Spot (*Cercospora sojina*)

☐ 0

Race 1

☐

Race 2

☐

Race 3

☐

Race 4

☐

Race 5

☐

Other (Specify)

☐ 0

Target Spot (*Corynespora cassicola*)

☐ 0

Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)

☐ 1

Powdery Mildew (*Microsphaera diffusa*)

☐ 1

Brown Stem Rot (*Cephalosporium gregatum*)

☐ 0

Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

<input checked="" type="checkbox"/> 1	Pod and Stem Blight (<i>Diaporthe phaseolorum</i> var. <i>sojae</i>)												
<input checked="" type="checkbox"/> 1	Purple Seed Stain (<i>Cercospora kikuchii</i>)												
<input type="checkbox"/> 0	Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>)												
Phytophthora Rot (<i>Phytophthora megasperma</i> var. <i>sojae</i>)													
<input checked="" type="checkbox"/> 1	Race 1	<input checked="" type="checkbox"/> 1	Race 2	<input type="checkbox"/> 0	Race 3	<input checked="" type="checkbox"/> 1	Race 4	<input type="checkbox"/> 0	Race 5	<input type="checkbox"/> 0	Race 6	<input checked="" type="checkbox"/> 1	Race 7
<input type="checkbox"/> 0	Race 8	<input type="checkbox"/> 0	Race 9	<input type="checkbox"/>	Other (Specify) _____								

VIRAL DISEASES:

<input type="checkbox"/> 0	Bud Blight (Tobacco Ringspot Virus)
<input type="checkbox"/> 0	Yellow Mosaic (Bean Yellow Mosaic Virus)
<input type="checkbox"/> 0	Cowpea Mosaic (Cowpea Chlorotic Virus)
<input type="checkbox"/> 0	Pod Mottle (Bean Pod Mottle Virus)
<input checked="" type="checkbox"/> 1	Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode (<i>Heterodera glycines</i>)									
<input type="checkbox"/> 0	Race 1	<input type="checkbox"/> 0	Race 2	<input checked="" type="checkbox"/> 1	Race 3	<input checked="" type="checkbox"/> 1	Race 4	<input type="checkbox"/>	Other (Specify) _____
<input type="checkbox"/> 0	Lance Nematode (<i>Hoplolaimus Colomus</i>)								
<input type="checkbox"/> 0	Southern Root Knot Nematode (<i>Meloidogyne incognita</i>)								
<input type="checkbox"/> 0	Northern Root Knot Nematode (<i>Meloidogyne Hapla</i>)								
<input type="checkbox"/> 0	Peanut Root Knot Nematode (<i>Meloidogyne arenaria</i>)								
<input type="checkbox"/> 0	Reniform Nematode (<i>Rotylenchulus reniformis</i>)								
<input type="checkbox"/>	OTHER DISEASE NOT ON FORM (Specify): _____								

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

<input checked="" type="checkbox"/> 2	Iron Chlorosis on Calcareous Soil	Moderately Resistant
<input type="checkbox"/>	Other (Specify) _____	

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

<input type="checkbox"/> 0	Mexican Bean Beetle (<i>Epilachna varivestis</i>)
<input type="checkbox"/> 0	Potato Leaf Hopper (<i>Empoasca fabae</i>)
<input type="checkbox"/>	Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	B117	Seed Coat Luster	S07-80
Leaf Shape	B117	Seed Size	S07-80
Leaf Color	B117	Seed Shape	B117
Leaf Size	B117	Seedling Pigmentation	S23-03

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT 13% Moisture		SEED SIZE G/100 SEEDS	NO. SEEDS/POD
				CM Width	CM Length	% Protein	% Oil		
Submitted	130	1.8	79			36.5	17.5	16.3	2-4
B117 Name of Similar Variety	132	1.9	79			36.4	17.6	15.6	2-4

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTi-A₂ in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

EXHIBIT E**Statement of the Basis of Applicant's Ownership**

Soybean variety S09-95 was developed from germplasm sources cited in Exhibit A of this application. Northrup King Co. believes that the variety is novel as defined in the Plant Variety Protection Act and, therefore, that Northrup King is the sole owner of the variety.